

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CHRISHANA BURKS,) Case No.: 1:19-cv-02652
)
Plaintiff,) JUDGE CHRISTOPHER BOYKO
)
vs.)
)
TOMO HIBACHI RESTAURANT) **STIPULATED ORDER AND FINAL**
AND LOUNGE, LLC, et al.) **ENTRY**
)
Defendants.)

This matter is before the Court on the Parties' Joint Motion for Approval of Settlement Agreement ("Joint Motion") pursuant to §16(b) of the Fair Labor Standards Act ("FLSA"), 29 U.S.C. §216(b). The Joint Motion asks this Court to approve, as fair and reasonable, the proposed settlement reached by the parties and memorialized in the Settlement Agreement and Release ("Settlement"), filed as Exhibit 1 to the Joint Motion.

Having reviewed the Joint Motion, Settlement, and pleadings and papers on file in this action, and for good cause established therein, the Court enters this Stipulated Order and Final Judgment, approving the Settlement as follows:

1. The captioned Lawsuit asserted wage-and-hour claims under the FLSA, 29 U.S.C. §§ 201, *et seq.*, and Ohio Revised Code §§ 4111.15, *et seq.*, on behalf of Plaintiff Chrishana Burks. Defendants Tomo Hibachi Restaurant and Lounge, LLC and Velmir Lucic have denied Plaintiff's claims.

2. The Court finds that the proposed Settlement is fair and reasonable and satisfies the standard for approval under §16(b) of the FLSA, 29 U.S.C. §216(b), and Ohio law.

3. The Court approves the Settlement, and orders that the settlement be implemented according to the terms and conditions of the Settlement and as directed herein.

4. The Court shall retain jurisdiction to enforce the terms of the Settlement.
5. The Court dismisses the claims of Plaintiff With Prejudice, Defendants to bear remaining Court costs, and hereby enters final judgment. The Court finds there is no just reason for delay and directs the Clerk of Courts to enter this Stipulated Order and Final Judgment immediately.

IT IS SO ORDERED this 12th day of January, 2020.

s/Christopher A. Boyko
Honorable Christopher Boyko
Senior U.S. District Court

SO STIPULATED:

/s/ Tina M. Scibona
Tina M. Scibona (0092008)
Chris Wido (0090441)
THE SPITZ LAW FIRM
25200 Chagrin Boulevard, Suite 200
Beachwood, Ohio 44122
Telephone: 216.291.4744
Facsimile: 216.291.5744
Email: tina.scibona@spitzlawfirm.com
chris.wido@spitzlawfirm.com

Attorneys for Plaintiff

/s/Gino Zavarella (per email consent)
Gino Zavarella (0065715)
4701 Richmond Road
No. 220
Cleveland, Ohio 44128
Telephone: (216) 905-9199
Email: gpzavarella@gmail.com

Attorney for Defendants